



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

JFW

Box 1 See

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,441	01/30/2004	Mark L. Lawrence	2343-179-27

CONFIRMATION NO. 6449

Supervisor, Patent Prosecution Services
PIPER RUDNICK LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412

FORMALITIES LETTER



OC000000012980868

Date Mailed: 06/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Z. Army
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



PIPER RUDNICK LLP
1200 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036-2412
TELEPHONE: 202-861-3900
FACSIMILE: 202-223-2085

DOCKET NO.: 2343-179-27

**ATTENTION: APPLICATION BRANCH
THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING PARTS OF APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Inventors: MARK L. LAWRENCE, ET AL.
Serial No: 10/767,441
Filed: JANUARY 30, 2004
For: USE OF NOVEL VIRULENCE-SPECIFIC GENES AS TARGETS FOR
DIAGNOSIS AND POTENTIAL CONTROL OF VIRULENT STRAINS OF
LISTERIA MONOCYTOGENES

SIR:

Attached hereto for filing are the following papers:
NOTICE TO FILE MISSING PARTS (RETURN COPY)
RESPONSE TO NOTICE TO FILE MISSING PARTS
DECLARATION (3 PAGES, EXECUTED)
LIST OF 10 PRACTITIONERS (1 PAGE, EXECUTED)
STATEMENT UNDER 37 C.F.R. §1.821-1.825 (1 PAGE, EXECUTED
SEQUENCE LISTING PAPER COPY (12 PAGES)
SEQUENCE LISTING DISKETTE
INFORMATION DISCLOSURE STATEMENT
PTO FORM 1449 (4 SHEETS)
CITED DOCUMENTS (46)

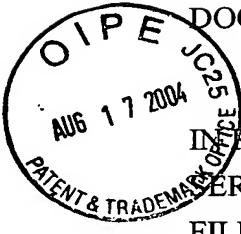
Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R.1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R.1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber
Registration No. 30,073
Attorney of Record

Perry E. Van Over
Registration No. 42,197



DOCKET NO. 2343-179-27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: MARK L. LAWRENCE, ET AL. ART UNIT: 1643
SERIAL NO.: 10/767,441 EXAMINER: UNASSIGNED

FILING DATE: JANUARY 30, 2004

FOR: USE OF NOVEL VIRULENCE-SPECIFIC GENES AS TARGETS FOR
DIAGNOSIS AND POTENTIAL CONTROL OF VIRULENT STRAINS OF
LISTERIA MONOCYTOGENES

RESPONSE TO NOTICE TO FILE MISSING PARTS

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the notification dated June 17, 2004, and in accordance with the provisions of 37 C.F.R. 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

Applicants also submit herewith a Sequence Listing (paper copy); a copy of the Sequence Listing in computer readable form (diskette); and a statement that the contents of the paper and computer readable copies are the same. Applicants respectfully request that the attached paper copy of the Sequence Listing be inserted after the last page of the above-identified application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

PIPER-RUDNICK LLP

Steven B. Kelber
Registration No. 30,073
Attorney of Record

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Perry E. Van Over
Registration No. 42,197